

**TIPPECANOE COUNTY COUNCIL
REGULAR MEETING
APRIL 10, 2001**

The Tippecanoe County Council held its regular meeting on Tuesday, April 10, 2001 at 2:00 P.M. in the Tippecanoe Room in the County Office Building. Council members present were: Vice President Connie Basham, Jeffrey Kessler, Margaret K. Bell, Ronald L. Fruitt, Jeffrey A. Kemper, and Kathy Vernon; Auditor Robert A. Plantenga, Attorney David W. Luhman, and Secretary Pauline E. Rohr. (President David S. Byers was absent when the meeting convened but was expected later in the meeting.)

Vice President Basham called the meeting to order and led the Pledge of Allegiance.

APPROVAL OF MINUTES

- Councilmember Fruitt moved to approve the March 13, 2001 minutes as distributed, seconded by Councilmember Vernon; motion carried.

FINANCIAL STATEMENT: Auditor Robert Plantenga

Auditor Plantenga reported the 2001 uncommitted County General Funds through March 31, 2001 are \$1,285,825.96. He noted that, due to a system failure in the Treasurer's Office, interest for the Treasurer and Cum Bridge was not calculated. When asked to explain Miscellaneous Expenditures in the County General Fund by Councilmember Kemper, he said they are costs for State called conferences that are paid from unappropriated funds by Statute.

INTEREST STATEMENT

In Treasurer Tolle's absence, Auditor Plantenga distributed her Interest Report for February 2001 that showed interest earned was \$425,656.36.

VILLA: Director Teri Hively

ADDITIONAL APPROPRIATIONS: \$37,300.00
37,300.00 Building & Structures

This appropriation is for demolition of outbuildings at the Villa that are no longer usable.

- Councilmember Fruitt moved to approve \$37,300 for demolition of outbuildings, seconded by Councilmember Bell; motion carried.

COURT SERVICES: Fund 07: Judge Laura Zeman

ADDITIONAL APPROPRIATIONS: \$51,249.00
22,694.00 Evaluator
16,569.00 Case Manager
3,005.00 Social Security
1,866.00 Retirement
5,740.00 Health Insurance
1,375.00 Workers Comp

<u>SALARY ORDINANCE</u>	<u>Position</u>	<u>Rate</u>	<u>Salary</u>
Full Time	Evaluator	1,397.83/ 1,480.00	22,694.00
	Case Manager	1,020.54/ 1,080.54	16,569.00
	Executive Director		40,000.00

This appropriation from User Fees will fund the newly created full time positions of Evaluator and Case Manager. Judge Zeman said it now takes a client from 6 to 8 weeks to schedule an appointment with the part-time Evaluator. With the addition of a full time Evaluator, the first evaluation should be scheduled within two weeks of assignment by the judge. A new Director has been hired and will begin on June 1, 2001. Councilmember Basham questioned the salary of \$40,000 for the Director which is higher than the salary set by the Salary Committee. Judge Zeman responded that the \$40,000 salary was based on feedback from the community.

- Councilmember Kemper moved to approve the appropriations from Fund 07, seconded by Councilmember Bell; motion carried.

- Councilmember Kemper moved to approve the Salary Ordinance, seconded by Councilmember Fruitt; motion carried.

CONFIRMATORY RESOLUTION 2001-14-CL: ERA Designation for Canam Steel Corp.

Greater Lafayette Progress President Mike Brooks and Canam Steel General Manager Mike Eckert appeared to request approval of the Confirmatory Resolution. Mr. Brooks expressed appreciation for the Council's support of this project that he thinks is important for the continued growth of our manufacturing community. Saying that Canam Steel is a good employer, Mr. Eckert thinks they have underestimated the number of new jobs that will be created. He said they will appreciate any help by the Council.

Councilmember Kessler applauded the fact that Canam Steel will retain 165 employees and will add 50 new employees. He also thinks it is important that employees will have a 401K Retirement Plan and Health Insurance benefits.

(quote)

RESOLUTION NO. 2001-14-CL

**TIPPECANOE COUNTY COUNCIL
CONFIRMATORY RESOLUTION
FOR THE DESIGNATION OF AN ECONOMIC REVITALIZATION AREA
APPLICATION OF CANAM STEEL CORPORATION.**

WHEREAS, the Tippecanoe County Council has been requested by the Applicant, Canam Steel Corporation on behalf of Fairfield Builders Supply Corp., to find, pursuant to Indiana Code §6-1.1-12.1-2, that the following described real estate is an Economic Revitalization Area:

EXHIBIT A

The East end of the North fractional half of the Northwest fractional quarter of Section One (1), in Township Twenty-Two (22) North, Range Four (4) West, described as follows;

Beginning at the Northeast corner of said North fractional half; running thence South 65.68 rods to the Southeast corner thereof; thence West 84.16 rods; thence North to the North line of said fraction; thence East 84.24 rods to the place of beginning, containing 34-1/5 acres, more or less;

EXCEPTING THEREFROM a part of the East end of the North fractional half of the Northwest quarter of Section 1 in Township 22 North, Range 4 West, more completely described as follows:

Beginning at the Northeast corner of the Northwest quarter of said Section; thence South 00 degrees and 20' East on the East line of the said Northwest quarter a distance of 175 feet; thence South 89°30' West and parallel to the North line of the Northwest quarter a distance of 100 feet; thence North no degrees and 20' West and parallel to the East line of the tract a distance of 175 feet to the North line of the Northwest quarter aforesaid; thence North 89°20' East on the said North line a distance of 100 feet to the place of beginning; said tract of land contains 40/100 (.40) acre, more or less.

EXCEPT:

A part of the Northwest Fractional Quarter of Section 1, Township 22 North, Range 4 West, described as follows: Beginning at a pin in the center line of Haggerty Lane that in Three Hundred Twenty (320) feet West of the Northeast corner of the Northwest Quarter of Section 1, Township 22 North, Range 4 West, thence South 00 degrees 50 minutes East a distance of one Hundred Seventy-Five (175) feet to an Iron Pipe; thence South 89 degrees West a distance of One Hundred Twenty (120) feet to an Iron Pipe; thence North 00 degrees 50 minutes West a distance of one Hundred Seventy-Five (175) feet to a pin in the center of the Road; thence North 89 degrees East on the centerline of the Road a distance of One Hundred Twenty (120) feet to the place of beginning. Containing 0.48 acres more or less. Located in Wea Township, Tippecanoe County, Indiana.

ALSO EXCEPT:

A part of the Northwest Fractional Quarter of Section 1, Twp. 22 North, Range 4 West described as follows:

Beginning at a point on the center of Haggerty Lane that in Five Hundred (500) feet West of the Northeast corner of the Northwest Quarter of Section 1, Twp. 22 North, Range 4 West. Thence South 00°50' East a distance of Two Hundred (200) feet; thence south 89° West a distance of one Hundred Eighty-Nine and 96/100 (189.96) feet; thence North 00°50' West a distance of Two Hundred (200) feet to the center of Haggerty Lane; thence -North 89° East along the center of Haggerty Lane a distance of One Hundred Eight-Nine and 96/100 (189.96) feet to the place of beginning, all in Wea Township, Tippecanoe County, Indiana.

ALSO EXCEPT:

Part of the Northwest Quarter of Section 1, Township 22 North, Range 4-West, Wea Township, Tippecanoe County, Indiana, described as follows:
Beginning at a point on the Northern line of the Northwest Quarter of said Section 1, said point being located North 90°00'00" West, 210.00 feet from the Northeastern corner of the Northwest Quarter of said Section 1; thence South 00°10'00" East, 175.00 feet; thence North 90°00'00" West 110.00 feet; thence North 00°10'00" West 175.00 feet to the Northern line of the Northwest Quarter of said Section 1; thence North 90°00'00" East, along the Northern line of the Northwest Quarter of said Section one, 110.00 feet to the point of beginning, containing 0.44 of an acre, more or less.

WHEREAS, on March 13, 2001, the Tippecanoe County Council adopted a Declaratory Resolution for the designation of the real estate described above as an Economic Revitalization Area pursuant to Resolution 2001-11-CL; and

WHEREAS, notice of the adoption and substance of such Declaratory Resolution was published in the Lafayette Journal & Courier and Lafayette Leader pursuant to Indiana Code §6-1.1-12.1 and Indiana Code chapter 5-3-1, such publication being at least ten (10) days before the date set for a public hearing on such resolution; and

WHEREAS, the application for designation, a description of the affected area, a map of the affected area, and all pertinent supporting data were available for public inspection in the office of the Tippecanoe County Assessor and the Tippecanoe County Auditor; and

WHEREAS, the Tippecanoe County Council, following the adoption of the Declaratory Resolution, set a public hearing on the Resolution for 2:00 p.m., on April 10, 2001, at the Tippecanoe County Office Building, Lafayette, Indiana.

WHEREAS, notice of such public hearing was published in the Journal & Courier and Lafayette Leader in accordance with Indiana Code chapter 5-3-1, such publication being at least ten (10) days before the date set for such public hearing; and

WHEREAS, at such meeting, the Tippecanoe County Council afforded an opportunity to all persons and organizations, including representatives of organizations, to express their views with respect to the proposed designation of the real estate as an Economic Revitalization Area; and

WHEREAS, the Tippecanoe County Council, after conducting such public hearing, has given careful consideration to all comments and views expressed and any evidence presented regarding the designation of such real estate as an Economic Revitalization Area.

NOW, THEREFORE, BE IT RESOLVED, that after conducting such public hearing, the Tippecanoe County Council confirms certain findings made in the Declaratory Resolution for designation of the real estate described above as an Economic Revitalization Area, and makes certain further findings concerning the period during which the owners of property within the designated area shall be entitled to certain deductions, as follows:

1. The property described in Exhibit A is located within the jurisdiction of Tippecanoe County for purposes of Indiana Code §6-1.1-12.1-2.

2. This County Council has determined, based on information provided by the Applicant, that the property has become and remains an area undesirable for, or impossible of, normal development and occupancy because of a cessation of growth, deterioration of improvements, age, obsolescence, and other factors which have impaired values and prevented a normal development of the property.

3. Canam Steel Corporation, the Applicant, has under consideration the redevelopment and rehabilitation of the real property described in Exhibit A and the installation of new manufacturing equipment to be used on such property.

4. The proposed projects, through the generation of jobs, will promote normal development and occupancy.

5. The information set forth in the application filed by the Applicant establishes that the subject property complies with the general standards for designation of an Economic Revitalization pursuant to Indiana Code §6-1.1-12.1-2 within the jurisdiction of the Council.

6. The acquisition of the property, the redevelopment or rehabilitation thereof, and the installation of manufacturing equipment to be used therein, and the improvements to be constructed on the property, would benefit and enhance the welfare of all citizens and taxpayers of Tippecanoe County, and specifically:

- (1) The estimate of the value of the redevelopment or rehabilitation is reasonable for projects of that nature and the estimate of the cost of the new manufacturing equipment is reasonable for equipment of that type.
- (2) The estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment and rehabilitation and the proposed installation of the new manufacturing equipment.
- (3) The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment or rehabilitation and the proposed installation of new manufacturing equipment.
- (4) The number of individual opportunities for employment, both temporary and permanent, and the compensation to be paid to employees, along with the value of the acquisition and construction of improvements, create benefits of the type and quality anticipated by the County Council within the economic revitalization area and can reasonably be expected to result from the proposed described redevelopment or rehabilitation and the proposed installation of new manufacturing equipment.
- (5) The totality of benefits is sufficient to justify the deductions.

7. The subject property is zoned I (industrial), according to the Tippecanoe County Zoning maps.

8. The designation of the subject property as an Economic Revitalization Area will assist in the inducement of a project which will provide employment opportunities to residents of Tippecanoe County and will provide long-term benefits to the tax base of Tippecanoe County.

9. No written remonstrance has been filed with the County Council either prior to or during the above-referenced public hearing on the subject application for designation.

10. That Canam Steel Corporation should be entitled to the deductions for the assessed value of new manufacturing equipment installed in such Economic Revitalization Area over a period of five (5) years in accordance with the percentages provided in Indiana Code §6-1.1-12.1-4.5(d).

11. That Canam Steel Corporation should be entitled to the deductions from the increase in assessed value resulting from rehabilitation or development of real estate improvements in such Economic Revitalization Area over a period of ten (10) years in accordance with the percentages provided in Indiana Code §6-1.1-12.1-4(d)(3).

NOW, THEREFORE, BE IT ALSO RESOLVED by the Common Council of Tippecanoe County, Indiana, that the property hereinabove described should be and is hereby declared to be an Economic Revitalization Area as that term is defined in Indiana Code sections 6-1.1-12.1-1 through 6-1.1-12.1-6 for a period commencing with the date of final action on this resolution and continuing through and including December 31, 2010. This limitation is established pursuant to Indiana Code §6-1.1-12.1-2(i).

BE IT ALSO RESOLVED, that Canam Steel Corporation shall be entitled to the deductions for the assessed value of new manufacturing equipment installed in such Economic Revitalization Area over a period of five (5) years in accordance with the percentages provided in Indiana Code §6-1.1-12.1-4.5(d).

BE IT ALSO RESOLVED, that pursuant to Indiana Code §6-1.1-12.1-3(d), Canam Steel Corporation shall be entitled to the deductions from the increase in assessed value resulting from rehabilitation or development of real estate improvements in such Economic Revitalization Area over a period of ten (10) years in accordance with the percentages provided in Indiana Code §6-1.-12.1-4(d)(3).

BE IT ALSO RESOLVED, that if any part, parts, clause or portion of this Resolution shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not effect the validity or unconstitutionality of this Resolution as a whole or any other part, clause or portion of the Resolution.

BE IT FINALLY RESOLVED, that by adoption of this Resolution, the Tippecanoe County Council does confirm its Declaratory Resolution approved on March 13, 2001, which designates the real estate described above as an Economic Revitalization Area.

ADOPTED on _____, 2001, by the Common Council of Tippecanoe County, Indiana.

TIPPECANOE COUNTY COUNCIL

David S. Byers, President

Connie Basham, Vice President

Jeffrey Kessler

Margaret K. Bell

Jeffrey A. Kemper

Kathy Vernon

Ronald L. Fruitt

ATTEST:

Robert Plantenga, Tippecanoe County Auditor

(unquote)

- Councilmember Kessler moved to approve Confirmatory Resolution 2001-14-CL, seconded by Councilmember Kemper.

Auditor Plantenga recorded the following roll call vote:

Connie Basham	Yes
Jeffrey Kessler	Yes
Margaret Bell	Yes
Jeffrey Kemper	Yes
Kathy Vernon	Yes
Ronald Fruitt	Yes
David Byers	Absent

- The motion to approve Resolution 2001-14-CL passed 6 – 0.

RESOLUTION 2001-20-CL: Preliminary Approval to Issue Economic Development Bonds for Canam Steel

Attorney Erik Spykman and Canam Steel General Manager Mike Eckert requested approval of Resolution 2001-20-CL. Mr. Spykman explained that this Preliminary Resolution authorizes issuance of up to \$8.5 million of Economic Development Bonds to finance the project. It also indicates the intent to issue bonds and allows reimbursement from the bond issue of funds that are expended on the project from this date forward.

Councilmember Fruitt asked if they have their own bond rating or if they will use the County's bond rating. Mr. Luhman responded that the rating will be based upon the applicant's rating and the bonds will also be secured by a Letter of Credit. Mr. Spykman interjected that it is his understanding that the rating is based primarily on the credit of the bank issuing the Letter of Credit.

Councilmember Kessler summarized Attorney Luhman's earlier explanation that these bonds are not used in the equation against the County's 2% debt limit nor does the County warrant these bonds. He stated that this does help economic development.

(quote)

COUNTY COUNCIL RESOLUTION NO. 2001-20-CL

**A RESOLUTION OF THE COUNTY COUNCIL OF TIPPECANOE COUNTY, INDIANA
PROVIDING PRELIMINARY APPROVAL OF THE
ISSUANCE OF BONDS FOR THE PURPOSE OF PROVIDING
FINANCING OF CERTAIN ECONOMIC DEVELOPMENT FACILITIES**

RESOLVED, by the County Council of Tippecanoe County, Indiana (the "County Council" and "County," respectively), as follows:

WHEREAS, the County is authorized by I.C. 36-7-11.9 and 12, as supplemented and amended (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities, and said facilities to be either leased to another person or directly owned by another person; and

WHEREAS, Canam Steel Corporation, a Delaware corporation (the "Applicant"), has advised the Tippecanoe County Economic Development Commission (the "Commission") and the County that it proposes that the County issue and sell its economic development revenue bonds for the purpose of providing financing of certain economic development facilities consisting of the acquisition, construction, installation and equipping of an approximately 150,000 - 175,000 square foot manufacturing facility, including the purchase of machinery and equipment to be utilized therein, to be located at 4425 E. 200 S., Lafayette, Indiana 47905 or at another site located within the jurisdiction of the County (the "Project"), and the Commission has adopted a Resolution, containing the requisite findings of the Commission, recommending that the County adopt a resolution giving preliminary approval to a proposed issuance of economic development revenue bonds for the financing of the Project; and

WHEREAS, it appears that the creation and retention of opportunities for gainful employment and the creation of business opportunities to be achieved by the Project will serve a public purpose and will be of benefit to the health and general welfare of the County; and

WHEREAS, the Project will be owned and operated by the Borrower for use as an economic development facility; and

WHEREAS, it appears that the Project will not have adverse competitive effect on any similar facility already constructed or operating in the County;

FURTHER RESOLVED, by the County Council of Tippecanoe County, Indiana, as follows:

SECTION 1. The County Council finds, determines, ratifies and confirms that the creation and retention of opportunities for gainful employment and the creation of business opportunities to be achieved by the Project in the County will be of benefit to the health and general welfare of the citizens of the County; and that it is in the public interest that this County Council take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said County.

SECTION 2. The County Council further finds, determines, ratifies and confirms that the issuance and sale of economic development revenue bonds of the County under the Act in an amount not to exceed \$8,500,000 for the Project and the loan of the proceeds of the revenue bonds to the Borrower will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. The proposed economic development facilities will not have an adverse competitive effect on any similar facilities already under construction or in operation in the County.

SECTION 4. In order to induce the Borrower to proceed with the Project, the County Council hereby finds, determines, ratifies and confirms that:

- (i) It will take or cause to be taken such actions pursuant to the Act as may be reasonably required to implement the aforesaid financing, or as it may deem reasonably appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the County and the Borrower; and
- (ii) It will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be reasonably necessary and advisable for the authorization, issuance and sale of said economic development bonds.

SECTION 5. All costs of the Project incurred for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project, including reimbursement or repayment to the Borrower of moneys expended prior to the adoption by the County Council of this resolution will be permitted to be included as part of the Project costs to be financed out of the loan of the proceeds from the sale of the bonds to the extent permitted by the Act and applicable regulations promulgated under the Internal Revenue Code of 1986, as amended.

SECTION 6. All action taken and approvals given by the County with regard to the Borrower, are based upon the evidence submitted and representations made by the applicant, its agents or counsel to the Commission and the County. No independent examination, appraisal or inspection of the Project was made, requested, or is contemplated by the County.

SECTION 7. The County does not, by this or any other approval or finding, guarantee, warrant or even suggest that the bonds, coupons or series thereof will be a reasonable investment for any person, firm or corporation.

SECTION 8. The County shall not be obligated, directly or indirectly, to see to the application or use of the proceeds from the sale of the bonds or to see that the contemplated improvements, if any, are constructed. The County is in no way responsible to the holders of any bonds for any payment obligation created by the bonds.

SECTION 9. The County does not warrant, guarantee or even suggest that interest to be paid to or income to be received by the holders of any bond, coupon, or series thereof is exempt from taxation by any local, state or federal government.

SECTION 10. The bonds shall be special, limited obligations of the County payable solely from the funds provided therefor as described in the indenture authorizing the bonds, and shall not constitute an indebtedness of the Commission or the County or a loan of the credit thereof.

SECTION 11. This resolution does not constitute a binding obligation of the Commission or the County to issue the bonds, but instead, is a commitment by the County to proceed with negotiations for the financing described herein with the Borrower and is subject to the adoption of a bond ordinance by the County in accordance with the provisions of the Act.

SECTION 12. This resolution shall be in full force and effect upon adoption and compliance with I.C. 36-2-4 et seq.

Member, Tippecanoe County Council

Member, Tippecanoe County Council

Member, Tippecanoe County Council

Member, Tippecanoe County Council

Member, Tippecanoe County Council

Member, Tippecanoe County Council

Member, Tippecanoe County Council

The foregoing was passed by the County Council this 10th day of April, 2001, and presented by me to the Presiding Officer of the County Council of Tippecanoe County, Indiana this _____ day of April, 2001, at Lafayette, Indiana.

Robert A. Plantenga, Auditor
Tippecanoe County, Indiana

Approved and signed this _____day of April, 2001.

Presiding Officer, Tippecanoe County Council

STATE OF INDIANA)
) SS:
COUNTY OF TIPPECANOE)

I, Robert A. Plantenga, Auditor of Tippecanoe County, Indiana, do hereby certify the above and foregoing is a full, true, and complete copy of Resolution No. 2001-20-CL passed by the County Council on the 10th day of April, 2001, by a vote of ____ ayes and _____ nays, which was signed by the Presiding Officer of the County Council of Tippecanoe County, Indiana on the _____ day of April, 2001, and now remains on file and on record in my office.

WITNESS my hand and the official seal of Tippecanoe County, Indiana, this _____day of April, 2001.

Robert A. Plantenga, Auditor
Tippecanoe County, Indiana

(unquote)

- Councilmember Kessler moved to approve Resolution 2001-20-CL, seconded by Councilmember Bell.

Auditor Plantenga recorded the following roll call vote:

Jeffrey Kessler	Yes
Margaret Bell	Yes
Jeffrey Kemper	Yes
Kathy Vernon	Yes
Ronald Fruitt	Yes
Connie Basham	Yes
David Byers	Absent

- The motion to approve Resolution 2001-20-CL passed 6 – 0.

ELMSTEEL, INC.: Statement of Benefits: Greater Lafayette Progress President Mike Brooks and Elmsteel, Inc. General Manager & President Andrew Ball

Mr. Brooks said Elmsteel is requesting approval of the Statement of Benefits for a Tax Abatement on a new piece of manufacturing equipment that is being purchased earlier than anticipated due to Elmsteel's rapid growth. He explained that a new Tax Abatement Application was not submitted because the information on the original Application is current. Mr. Ball said this new equipment will increase the size range of steel they are able to process. He reported that, after investing \$1.6 million in equipment and \$1.8 million in land and building, Elmsteel has already created ten (10) new jobs with good salaries and benefits.

When asked what is expected of the Council today, Mr. Brooks said, by State Statute, every Tax Abatement requires approval of a Statement of Benefits by the County Council. Mr. Luhman explained that every Tax Abatement is a two step process requiring the designation of the area as an Economic Revitalization Area and the approval of a Statement of Benefits. This process was followed by Elmsteel and the Council granted an abatement for 10 years on Real Estate and 10 years on Manufacturing Equipment in March 2000. The Statement of Benefits presented today is for additional equipment on which tax will be abated for 10 years since that was the amount of time originally allowed by the Council.

- Councilmember Kessler moved to approve the Statement of Benefits for Elmsteel, Inc., seconded by Councilmember Kemper; motion carried.

SHERIFF: Second Amendment to Compensation Agreement

This Second Amendment to the 1999 Compensation Agreement will extend the compensation to Sheriff Dave Murtaugh from January 1, 2001 until December 31, 2001 in the amount of \$97,594.00.

(quote)

SECOND AMENDMENT TO COMPENSATION AGREEMENT

WHEREAS, the parties hereto entered into a Compensation Agreement for a period of one year, ending December 31, 1999; and

WHEREAS, Paragraph 5 of said Agreement provides for a continuance of said Agreement for additional one year periods; and

WHEREAS, the parties have previously continued said Agreement for successive one year periods through December 31, 2000, and

WHEREAS, the parties hereto desire to continue said Agreement for a period of one year, commencing January 1, 2001, and ending December 31, 2001; and

NOW, THEREFORE, in consideration of the mutual covenants, agreements and conditions contained herein;

IT IS AGREED THAT:

1. The Compensation Agreement between the parties for compensation of David R. Murtaugh as Sheriff of Tippecanoe County, Indiana, hereby is extended for the period from January 1, 2001, to December 31, 2001.

2. Paragraph 10 of said Compensation Agreement is amended to state as follows:

"11. The annual salary to be paid Murtaugh shall be Ninety-seven Thousand Five Hundred Ninety-four and no/100 Dollars (\$97,594.00) for fiscal year 2001."

3. Except as amended by this Agreement, all provisions of the Compensation Agreement shall remain in full force and effect during the year 2001.

4. This Amendment shall be effective as of January 1, 2001.

IN WITNESS WHEREOF, the parties hereto set their respective hands this ____ day of _____, 2001.

TIPPECANOE COUNTY SHERIFF

David R. Murtaugh
Sheriff of Tippecanoe County

TIPPECANOE COUNTY COUNCIL

David Byers, President

Connie Basham, Vice President

Margaret K. Bell

Ronald L. Fruitt

Kathy Vernon

Jeffrey Kessler

Jeffrey A. Kemper

BOARD OF COMMISSIONERS
OF TIPPECANOE COUNTY

Ruth Shedd, President

ATTEST:

Robert Plantenga, Auditor

John Knochel, Vice President

KD Benson, Member

APPROVED AS TO FORM:

David W. Luhman
Tippecanoe County Attorney

(unquote)

- Councilmember Kemper moved to approve the Second Amendment to the Compensation Agreement for Sheriff Murtaugh, seconded by Councilmember Fruitt; motion carried.

HUMANE SOCIETY: Agreement for Animal Sheltering and Disposal

Councilmember Kemper observed that this Agreement to shelter and dispose of animals from unincorporated Tippecanoe County in the amount of \$60,000 is effective only through November 2001. Commissioner Knochel explained that the Humane Society bases their request on the number of animals handled for the County for the previous year. Based on the numbers, they requested \$66,595 for 2001 but the Council cut the request to \$60,000. Commissioner Knochel said the Commissioners may have to request an additional appropriation for this service for December.

- Councilmember Kemper moved to approve the Agreement with the Humane Society, seconded by Councilmember Kessler; motion carried.

BUILDING COMMISSION: Building Commissioner Ron Highland

ADDITIONAL APPROPRIATIONS: \$10,000.00

10,000.00 Unsafe Building Structures

Mr. Highland said he is requesting this appropriation to build up a sufficient amount in case the County has to pay to demolish an unsafe structure. He currently has \$13,000 in this the Unsafe Building Fund and would like to build that amount to \$50,000.

Auditor Plantenga explained that an appropriation from the County General Fund into the Building Permits Budget will allow Mr. Highland to submit a claim from this appropriated line item into Unsafe Building Fund 24 that can hold a balance for use when needed. He said the current balance of \$13,000 is made up of a previous \$10,000 appropriation by the Council and a \$3,000 reimbursement from a Tax Sale.

- Councilmember Kessler moved to approve \$10,000 for the Unsafe Building Structures line item, seconded by Councilmember Vernon; motion carried.

**COMMISSIONERS/INFORMATION SERVICES: General Fund 01: Commissioners Assistant
Jennifer Weston**

ADDITIONAL APPROPRIATIONS: \$15,188.00

12,167.00	Systems Administrator
931.00	Social Security
578.00	Retirement
1,512.00	Health Insurance

COMMISSIONERS/GIS: EDIT Fund 15: Commissioners Assistant Jennifer Weston

ADDITIONAL APPROPRIATIONS: \$47,808.00

19,000.00	Executive Director
18,334.00	GIS Specialist
2,857.00	Social Security
1,774.00	Retirement
4,536.00	Health Insurance

COMMISSIONERS/MANAGEMENT INFORMATION TECHNOLOGY SERVICE (MITS)

<u>SALARY ORDINANCE</u>	<u>Position</u>	<u>Rate</u>	<u>Salary</u>
Full Time	Executive Director		57,000.00
	Systems Administrator		55,000.00
	GIS Specialist		27,500.00
	Secretary/Receptionist		21,830.00

Mrs. Weston delivered a Power Point presentation showing the restructuring and combining of the GIS and IS Departments into a new department named Management Information Technology Services (MITS) by Ordinance on April 2nd. Two new positions, Systems Administrator and GIS Specialist, were also created at that time.

Current structure of the IS Department: Current structure of the GIS Department

Director	GIS Coordinator
System Coordinators (2)	GIS Technician
Network Administrator (1)	
Programmers (2)	
PC Technicians (3)	
Secretary/Receptionist	

Proposed Structure

Executive Director	
GIS Administrator	Secretary/Receptionist Systems Administrator
Network Administrator	
GIS Specialists (2)	PC Technicians (3)
	Judicial System Coordinator Financial System Coordinator Programmers (2)

Mrs. Weston explained that half of the Executive Director's salary plus the GIS Administrator and GIS Specialists will be paid from the EDIT Fund. The other half of the Executive Director's salary plus the remaining positions will be paid from the County General Fund. The salaries for the remainder of 2001 were pro-rated from May 1, 2001 through December 31, 2001. Mrs. Weston showed that the reorganization will add \$19,125.00 to the amount funded by County General and \$56,000 to the amount funded by EDIT for 2001.

Councilmember Kemper asked the Commissioners to address the issue of departments that are not "on board" with GIS and what can be done to require them to use the system. Commissioner Benson responded that the IS and GIS Departments are comfortable with the combining of the departments. The Commissioners are having a problem with all departments "buying into" the same computer data base but she thinks communication is a key. She hopes more departments will see the benefits as GIS is successfully implemented such as in the Auditor's Office. Commissioner Benson thinks the Council can help with this problem since they control funding. Although the Assessor's system can be imported into GIS, Commissioner Benson said they would like for them to come in willingly.

Auditor Plantenga said the Auditor's Office experienced conversion problems with the property lines but he thinks the new GIS Specialist will help straighten this out. With a limited staff, he said it is hard for his department to maintain as well as fix problems.

Councilmember Kessler remarked that, only last year, he was disappointed that the huge investment in GIS was showing very little progress. He now believes they have a good direction. He pointed out that GIS will be able to help with problems that can affect the entire community such as severe weather or a hazardous spill.

GIS Policy Committee President and County Surveyor Steve Murray said an Action Plan was submitted in 1997, but funds have not been appropriated or spent on the projected needs in the Plan. He said re-flying the aerials is an immediate need. He hopes to have a revised and updated Plan for the Council by Budget time.

- Councilmember Kemper moved to approve the Additional Appropriation for Systems Administrator including benefits from the General Fund, seconded by Councilmember Kessler; motion carried.
- Councilmember Kemper moved to approve the Salary Ordinance for the Systems Administrator and Secretary/Receptionist, seconded by Councilmember Kessler; motion carried.
- Councilmember Kessler moved to approve the Additional Appropriations for the Executive Director and GIS Specialist including benefits from the EDIT Fund, seconded by Councilmember Kemper; motion carried.
- Councilmember Kessler moved to approve the Salary Ordinance for the Executive Director and GIS Specialist, seconded by Councilmember Kemper; motion carried.

RESOLUTION 2001-16-CL: Endorsing Amendment 28 to the EDIT Plan

This Resolution endorses funding for Construction Management Fees for the expansion of the County Jail in the amount of \$325,000.00.

(quote)

TIPPECANOE COUNTY COUNCIL

RESOLUTION 2001-16-CL

**RESOLUTION ENDORSING THE ADOPTION OF AN AMENDMENT
TO THE TIPPECANOE COUNTY ECONOMIC DEVELOPMENT
INCOME TAX CAPITAL IMPROVEMENT PLAN**

WHEREAS, authority has been granted by I.C. 6-3.5-7-15 to the Board of Commissioners of the County of Tippecanoe. to adopt a Capital Improvement Plan for the County of Tippecanoe setting forth the uses of the revenues which Tippecanoe County shall receive from the Economic Development Income Tax duly adopted in the year 1989.

WHEREAS, the Tippecanoe County Council shall be involved in the consideration of appropriations and financing mechanisms; including but not limited to, bonds, as to the various projects set forth in the Capital Improvement Plan.

WHEREAS, the Tippecanoe County Council has previously ratified and endorsed prior Economic Development Income Tax Capital Improvement Plans as submitted by the Board of Commissioners in Resolution 90-4-CL dated May 7, 1990; Resolution 90-8-CL dated June 12, 1990; Resolution 91-14-CL dated August 13, 1991, Resolution 94-16-CL dated November 9, 1994, Resolution 96-06-CL adopted on April 9, 1996, Resolution 96-10-CL dated August 13, 1996, Resolution 97-17-CL adopted May 13, 1997 and Resolution 98-5-CL adopted January 13, 1998, Resolution 98-27-CL dated June 12, 1998, Resolution 98-35-CL dated July 29, 1998; and Resolution 98-43-CL dated October 13, 1998; Resolution 98-47-CL dated November 10, 1998; and Resolution 99-16-CL dated March 9, 1999; and Resolution 99-21-CL adopted on April 13, 1999; Resolution 99-20 CL adopted on May 11, 1999; Resolution 99-31-CL adopted on October 12, 1999; Resolution 2000-09-CL adopted on February 8, 2000; Resolution 2000-20-CL adopted on April 11, 2000; and Resolution 2000-26-CL adopted on May 9, 2000; and Resolution 2000-30-CL adopted on June 2000; and Resolution 2001-09-CL adopted on March 13, 2001; and

WHEREAS, the Tippecanoe County Council has had the opportunity to review the project described in Amendment Number Twenty-Seven (sic) (28) to the Capital Improvement Plan

adopted by the Board of Commissioners of the County of Tippecanoe pursuant to Resolution No. 2001-____-CM dated April 2, 2001, and is of the opinion that the additional project set forth therein is an economic development project as defined IC 6-3.5-7-13.1 for which the County may expend the revenues which Tippecanoe County shall receive from the Economic Development Income Tax and is beneficial and cost effective for Tippecanoe County.

NOW, THEREFORE, BE IT RESOLVED, that the proposed Project Number Thirty-One (31), funding for Construction Management Fees for the Expansion of the Tippecanoe County Law Enforcement Facility Jail in the amount of \$325,000.00, subject to reimbursement to the EDIT Fund from the proceeds of any bonds issued to finance said jail facility expansion, as identified on Exhibit A attached hereto and made a part hereof is a project for which economic development income tax revenues may be used pursuant to IC 6-3.5-7-13.1; and that the Tippecanoe County Economic Development Income Tax Capital Improvement Plan should be amended to include said project;

BE IT FURTHER RESOLVED, that the Tippecanoe County Council endorses the Amendment Number Twenty-Eight (28) adding Project 31 to the Capital Improvement Plan adopted by the Board of Commissioners of the County of Tippecanoe pursuant to Resolution No. 2001-__-CM.

Presented to the County Council of Tippecanoe County, Indiana, and adopted this 10th day of April, 2001, by the following vote:

VOTE	TIPPECANOE COUNTY COUNCIL
David S. Byers	David S. Byers, President
Connie Basham	Connie Basham, Vice President
Jeffrey Kessler	Jeffrey Kessler
Margaret K. Bell	Margaret K. Bell
Jeffrey A. Kemper	Jeffrey A. Kemper
Kathy Vernon	Kathy Vernon
Ronald L. Fruitt	Ronald L. Fruitt
ATTEST:	

Robert Plantenga, Tippecanoe County Auditor

(unquote)

- Councilmember Kessler moved to approve Resolution 2001-16-CL, seconded by Councilmember Fruitt.

Auditor Plantenga recorded the following roll call vote:

Margaret Bell	Yes
Jeffrey Kemper	Yes
Kathy Vernon	Yes
Ronald Fruitt	Yes
Connie Basham	Yes
Jeffrey Kessler	Yes
David Byers	Absent

- Resolution 2001-16-CL passed 6 – 0.

COMMISSIONERS: EDIT Fund 15

ADDITIONAL APPROPRIATIONS: \$325,000.00
325,000.00 Jail Expansion

This appropriation will fund the Construction Manager for the Jail expansion.

- Councilmember Kessler moved to approve the Additional Appropriation of \$325,000.00, seconded by Councilmember Bell; motion carried.

COUNTY COUNCIL

ADDITIONAL APPROPRIATIONS: \$3,580.00
3,580.00 Health Insurance

Councilmember Kessler wondered if this appropriation should be delayed until later in the year as suggested by Councilmember Kemper at the Council's Work Session. Councilmember Kemper said he would support this request now on the basis of the Council's tight budget. Auditor Plantenga pointed out that Legal Services with a \$1,000.00 appropriation is the only line item in the Council's Budget that is not a set cost and could be transferred to Health Insurance. However, since Health Insurance is a set cost, the remaining amount will need to be appropriated before the end of the year.

Councilmember Fruitt moved to approve the Additional Appropriation of \$3,580.00 for Health Insurance, seconded by Councilmember Vernon.

Councilmember Vernon noted that this request has already been advertised once and will have to be advertised again at a cost to the County if it is not approved fully today.

- The motion carried with 1 no vote by Councilmember Kemper.

PARKS DEPARTMENT

These Salary Ordinances will increase the range of Part-time rates for the two departments.

Parks

<u>SALARY ORDINANCE</u>	<u>Position</u>	<u>Rate</u>	<u>Salary</u>
Part-time	Part-time V (6)	7.00-8.25/hr	
	Part-time VI (2)	7.00-9.25/hr	

- Councilmember Kessler moved to approve the Salary Ordinance for Part-time for the Parks, seconded by Councilmember Bell; motion carried.

Amphitheater

<u>SALARY ORDINANCE</u>	<u>Position</u>	<u>Rate</u>	<u>Salary</u>
Part-time	Part-time V (1)	7.00-8.25/hr	
	Part-time VI (2)	7.00-9.25/hr	

- Councilmember Kessler moved to approve the Salary Ordinance for Part-time for the Amphitheater, seconded by Councilmember Bell; motion carried.

ANNOUNCEMENTS

11:30 A.M.,	Thursday, May 3, 2001	Council and Commissioners Joint Special Meeting with Financial Consultant Greg Guerrettaz
1:00 P.M.,	Thursday, May 3, 2001	Special Council Meeting with Sheriff Murtaugh
2:00 P.M.,	Thursday, May 3, 2001	Council Working Session
	week of July 15, 2001	Bond Rating Agencies' visit (tentative)

ORDINANCE 2001-12-CL: Approving Wildcat Creek Solid Waste District Property Tax Levy

(quote)

ORDINANCE NO. 2001-12-CL

**ORDINANCE APPROVING WILDCAT CREEK SOLID WASTE DISTRICT
PROPERTY TAX LEVY**

WHEREAS, the Wildcat Creek Solid Waste District was established on June 20, 1991 pursuant to Ordinance 91-13-CM pursuant to an Interlocal Agreement between Tippecanoe County, Indiana and Clinton County, Indiana in accordance with the provisions of Indiana Code 13-21-3 for the purpose of reducing the amount of solid and hazardous waste created and disposed within the district; and

WHEREAS, Tippecanoe County and Clinton County have provided annual funds for the operation of Wildcat Creek Solid Waste District from said Countys' general funds; and

WHEREAS, Wildcat Creek Solid Waste District is authorized by IC 13-21-3-12(13) to levy a tax within the district to pay costs of operation in connection with Solid Waste Management, subject to regular budget and tax levy procedures and the requirements of IC 13-21-3-16; and

WHEREAS, the Wildcat Creek Solid Waste District duly adopted a Resolution on January 23, 2001 requesting the fiscal bodies of Tippecanoe County and Clinton County to approve the imposition of a property tax within the district to pay the costs of operation of the district in fiscal year 2002 at a proposed tax rate of 1.2 cents per hundred; and

WHEREAS, the proposed tax levy must be approved by both county fiscal bodies on or before May 1, 2001; (1) a "yes" vote indicates approval of the levy and the proposed use of property tax revenue within the district; and (2) a "no" vote indicates disapproval of the levy and the proposed use of property tax revenue within the district; and

WHEREAS, the Tippecanoe County Council and the Clinton County Council desire to approve the imposition of a property tax within the district to pay the costs of operation of the district in connection with solid waste management.

NOW, THEREFORE, BE IT RESOLVED that the County Councils of the Counties of Clinton and Tippecanoe do hereby approve and recommend the imposition of an ad valorem property tax levy in the approximate amounts of \$28,325.00 for Clinton County and \$160,000.00 for Tippecanoe County, to support funding of the fiscal year 2002 budget of the Wildcat Creek Solid Waste District in the estimated amount of \$245,619.00 and recommend same to the Indiana State Board of Tax Commissioners for final determination of the district's property tax levy and tax rate in accordance with IC 6-1.1-18.5-7.

Presented to the County Council of Tippecanoe County, Indiana and adopted this _____ day of April, 2001 by the following vote.

VOTE	TIPPECANOE COUNTY COUNCIL
David S. Byers	David S. Byers, President
Connie Basham	Connie Basham, Vice President
Jeffrey Kessler	Jeffrey Kessler
Jeffrey A. Kemper	Jeffrey A. Kemper
Kathy Vernon	Kathy Vernon
Margaret K. Bell	Margaret K. Bell
Ronald L. Fruitt	Ronald L. Fruitt

ATTEST:

Robert Plantenga, Tippecanoe County Auditor

Presented to the County Council of Clinton County, Indiana and adopted this 10th day of April, 2001 by the following vote.

	VOTE	CLINTON COUNTY COUNCIL
Harold D. Kinsler	Yes	/s/Harold D. Kinsler
C. Steven Frey	Yes	/s/C. Steven Frey
Terry W. Myers	Yes	/s/Terry W. Myers
Paul Robert Myers	Yes	/s/Paul Robert Myers
Garnett L. Jenkins	Yes	/s/Garnett L. Jenkins, President
Janet L. Conner	Yes	/s/Janet L. Conner
Steve Woods	Yes	/s/Steve Woods

ATTEST:

/s/Gregory L. Timmons, Clinton County Auditor

(unquote)

Attorney Luhman explained that the Tippecanoe County Council approve a Property Tax Levy of \$160,000 on March 13, 2001. Since the Solid Waste District is composed of two counties, Tippecanoe and Clinton, both counties are required to approve identical ordinances. Because the Tippecanoe County Council voted to reduce the proposed Levy amount to \$160,000.00 on March 13th, the ordinances were not identical. Ordinance 2001-12-CL, as presented and passed by Clinton County earlier today, reflects the action taken at the last Tippecanoe County Council meeting as well as a reduction in the Levy by Clinton County.

- Councilmember David S. Byers entered the meeting.
- Councilmember Kessler moved to approve Ordinance 2001-12-CL, seconded by Councilmember Kemper.

Auditor Plantenga recorded the following roll call vote:

David Byers	Yes
Connie Basham	No
Jeffrey Kessler	Yes
Jeffrey Kemper	Yes
Kathy Vernon	No
Margaret Bell	No
Ronald Fruitt	Yes

- The motion to approve Ordinance 2001-12-CL passed 4 – 3.

OTHER BUSINESS

Councilmember Kessler reported that he met with Clerk Betty Michael and encouraged a visit to the Clerk's Office by other Councilmembers.

Commissioner Knochel announced that the Morgue has moved into its new space at the 629 Building and is open for operation.

ADJOURNMENT

Councilmember Byers moved to adjourn, seconded by Councilmember Kessler; motion carried.

The next regularly scheduled meeting of the Tippecanoe County Council will be held at 2:00 P.M., Tuesday, May 8, 2001 in the Tippecanoe Room in the County Office Building.

Robert A. Plantenga, Auditor

TIPPECANOE COUNTY COUNCIL

David S. Byers, President

Ronald L. Fruitt

Connie Basham, Vice President

Jeffrey A. Kemper

Margaret K. Bell

Jeffrey Kessler

Attest: _____
Robert A. Plantenga, Auditor

Kathy Vernon